



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:)

Martin Dugas, et al.)

EXAMINER: Unassigned

SERIAL NO.: 10/575,829)

ART UNIT: Unassigned

PCT FILING DATE: NOVEMBER 4, 2004)

Confirmation No. 5668

FOR: **METHOD FOR DISTINGUISHING
IMMUNOLOGICALLY DEFINED ALL
SUBTYPE**

) DOCKET NO 22328-US


Certification of Mailing Under 37 CFR § 1.10


Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that the following correspondences:

- ☒ Missing Parts Transmittal
- ☒ Oath and Declaration by the inventors in accordance to 37 C.F.R. 1.497 (a) and (b).
- ☒ Surcharge of \$130.00 as set forth in 37 CFR 1.16(e).
- ☒ Copy of the Notification of Missing Requirements Under 35 U.S.C 371 in the US DO/EO.
- ☒ Statement Under 37 C.F.R. § 1.821 – 1.825
- ☒ CRF of the Sequence Listings.
- ☒ Return receipt postcard, and
- ☒ Petition for a 4 month Extension of Time in the amount of \$1590.00.

are being deposited with the United States Postal Service in an envelope on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



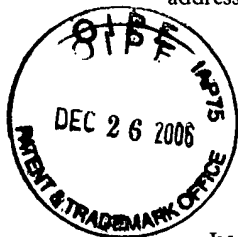


Date

Roche Molecular Systems, Inc.
1145 Atlantic Avenue
Alameda, CA 94501
Tele: (510) 814-2800
Fax: (510) 814-2973

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being transmitted therewith) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450., on:



Date: 12/19/06

By: Robert W. Mann
~~Winsome St Rose~~

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:)
Martin Dugas, et al.) EXAMINER: Unassigned
SERIAL NO.: 10/575,829) ART UNIT: Unassigned
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FOR: METHOD FOR DISTINGUISHING IMMUNOLOGICALLY DEFINED ALL SUBTYPE) DOCKET NO 22328-US

MISSING PARTS TRANSMITTAL

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C 371 in the United States Designated/Elected Office mailed June 27, 2006 (copy attached), applicants hereby submit the following:

- ☒ An executed Oath and Declaration by the inventors in accordance to 37 C.F.R. 1.497 (a) and (b)
- ☒ Surcharge of \$130.00 as set forth in 37 CFR 1.16(e)
- ☒ Copy of the Notification of Missing Requirements Under 35 U.S.C 371 in the US DO/EO
- ☒ Statement Under 37 C.F.R. §1.821 -1.825
- ☒ CRF of the Sequence Listings
- ☒ Petition for a 4 month Extension of Time in the amount of \$1590.00

The Commissioner is hereby authorized to debit Deposit Account No. 50-0812, in the amount of \$1720.00, or any additional fee or credit overpayment. A duplicate copy of this sheet is enclosed.

Date: 12/18/06

Respectfully Submitted,

Correspondence Address
Roche Molecular Systems, Inc
1145 Atlantic Avenue
Alameda, CA 94501
Tel: 510-814-2800
Fax: 510-814-2973

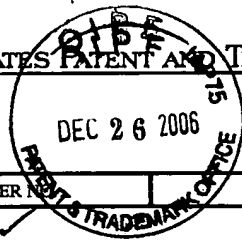
Robert W. Mann
Robert W. Mann
Reg. No. 48,555

22328-US

PCT #



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/575,829	Martin Dugas	22328US ✓

22829
 ROCHE MOLECULAR SYSTEMS INC
 PATENT LAW DEPARTMENT
 1145 ATLANTIC AVENUE
 ALAMEDA, CA 94501



INTERNATIONAL APPLICATION NO.	
PCT/EP04/12459	
I.A. FILING DATE	PRIORITY DATE
11/04/2004	11/04/2003

CONFIRMATION NO. 5668

371 FORMALITIES LETTER



OC000000019403578

Date Mailed: 06/27/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/14/2006
- Copy of the International Search Report filed on 04/14/2006
- Preliminary Amendments filed on 04/14/2006
- Oath or Declaration filed on 04/14/2006
- Request for Immediate Examination filed on 04/14/2006
- U.S. Basic National Fees filed on 04/14/2006
- Substitute Specification filed on 04/14/2006
- Priority Documents filed on 04/14/2006
- Specification filed on 04/14/2006
- Claims filed on 04/14/2006
- Abstracts filed on 04/14/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
 - all inventors name must be listed on each or all decl., inventor Alexander Kolhmann was listed on decl., but the one with his signature didn't list all inventor, you have two page # 4 .
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath

or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- o **\$130 Surcharge.**

- o This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- o A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- o For Rules Interpretation, call (571) 272-0951
- o For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- o Send e-mail correspondence for Patent Software Program Help @ ebc@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

12/29/2006 ATRAH1 00000130 500812 105/5829

01 FC:1617 130.00 DA

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/575,829	PCT/EP04/12459	22328US

FORM PCT/DO/EO/905 (371 Formalities Notice)